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HEADQUARTERS AGREEMENT BETWEEN UNIDO AND THE REPUBLIC OF AUSTRIA

Report by the Director-General

1. The present report updates information provided in documents IDB.6/17, IDB.8/34 and GC.4/46.

2. In the report by the Director-General contained in document GC.4/46, dated 26 September 1991, it was anticipated that a formal proposal of UNIDO's draft definitive headquarters agreement would be submitted to the Government of the Republic of Austria in the near future.

3. Following the conclusion of the consultations which were held between the legal officers of the United Nations Office at Vienna (UNOV) and UNIDO, and in which a representative of the Legal Division of the International Atomic Energy Agency (IAEA) participated as an observer, the Director-General of UNIDO, on 1 November 1991, formally proposed the draft of a definitive headquarters agreement for UNIDO to the Federal Minister for Foreign Affairs of the Republic of Austria. On the same day a parallel, nearly identical text was proposed for the United Nations Office at Vienna by the Director-General of UNOV.

4. In a communication dated 27 November 1991, the Federal Minister for Foreign Affairs, acknowledging receipt of the proposal of the Director-General of UNIDO, referred to it as a good basis for the impending negotiations and stated that as a first step the Foreign Ministry would consult the other Federal Ministries concerned on the various aspects falling within their respective competence. After those consultations, the Foreign Ministry would be in a position to commence the negotiations with the international organizations.

5. On 12 August 1992, a meeting was held between the legal advisers of the Foreign Ministry of Austria and of UNIDO, at which consideration was given to the form in which the negotiations should be conducted. Following an exchange of views between the legal advisers, it was indicated from the Austrian side that the interministerial consultations would be brought to a conclusion in the near future and that UNIDO could expect thereafter to receive comprehensive written comments on the proposed draft definitive headquarters agreement.

6. There was general agreement among the legal advisers that it had become urgent to bring the negotiations to a conclusion as soon as possible.

ACTION REQUIRED OF THE BOARD

7. The Industrial Development Board may wish to take note of the present report.

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